

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-27 are pending in the application, with claims 1, 10, 18 and 23 being the independent claims. Claims 1, 3, 10, 18 and 23 have been amended. Support for the amendment can be found, for example, in paragraph [0039] of the specification and in Figures 6-10. New claims 24-27 are added. Support for claims 24-27 can be found, for example, in paragraph [0039] of the specification and in Figures 6-10. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the following amendment and remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Applicant's representative thanks the Examiner for the courtesies extended during the telephonic interviews on January 18, 2006 and February 15, 2006. During these calls, Applicant's representative presented proposed claim language regarding curve of the first and seconds arms, as is presently claimed in amended claims 1, 10, 18 and 23. Each arm is now claimed as having an inward curve and flange wherein the arm curves away from the inward curve at an acute angle to form the flange. The Examiner indicated that the language appeared to overcome the art of record subject to further search and/or consideration. The Examiner requested that Applicant file a response to

the outstanding Office Action so that the Examiner could consider the amended claims and arguments.

Objection of Claim 3 under 37 CFR 1.75(c)

Claim 3 is objected to under 37 CFR 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim.

Claim 3 has been amended to say "wherein said fastener removably secures said article to a surface." The terminology of claim 3 is no longer broader in scope than claim 1. It is respectfully requested that the objection to claim 3 be withdrawn.

Rejection of Claims 1-4, 8 and 18-20 under 35 U.S.C. § 102(b)

Claims 1-4, 8 and 18-20 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Kaufman *et al.* (U.S. Patent No. 2,809,004; hereinafter Kaufman). Applicant traverses this rejection.

Claims 1 and 18 have been amended to recite that a distal end of the first arm forms a first inward curve and "then extends outwardly and curves away from said first inward curve at an **acute angle** to form a first flange." Claims 1 and 18 have also been amended to recite that a distal end of the second arm forms a second inward curve and "then extends outwardly and curves away from said second inward curve at an **acute angle** to form a second flange." Kaufman does not disclose or suggest these features.

As seen in FIG. 6, for example, of the present invention, first arm 126 has a first inward curve 136 and a first flange 140. The distal end of first arm 126 extends outwardly and curves away from the first inward curve 136 at an acute angle to form the

first flange 140. Similarly, second arm 144 has a second inward curve 154 and a second flange 158. The distal end of second arm 144 extends outwardly and curves away from the second inward curve 154 at an acute angle to form the second flange 158.

Kaufman does not disclose or suggest these features of claims 1 and 18. In FIG. 1 of Kaufman, the holder 28 has side sections 20 end with flared lips 7, which extend outward from connection points 2 and 8. The side sections 20 do not curve away at an acute angle to form the flared lips 7, but rather curve away at least at a right angle. Kaufman does not disclose or suggest that the side sections 20 curve away at an acute angle to form the flared lips 7.

Accordingly, for at least the above reasons, independent claims 1 and 18 and claims 2-4, 8 and 19-20, which depend therefrom, are patentable. Applicant respectfully requests that this rejection be withdrawn.

Rejection of Claim 23 under 35 U.S.C. § 102(b)

Claim 23 has been rejected under 35 U.S.C. § 102(b) as being anticipated by Naylor (U.S. Patent No. 5,678,204). Applicant traverses this rejection.

Claim 23 has been amended to recite that a distal end of the first arm forms a first inward curve and "then extends outwardly and curves away from said first inward curve at an **acute angle** to form a first flange." Claim 23 has also been amended to recite that a distal end of the second arm forms a second inward curve and "then extends outwardly and curves away from said second inward curve at an **acute angle** to form a second flange." Naylor does not disclose or suggest these features.

As seen in FIG. 6, for example, of the present invention, first arm 126 has a first inward curve 136 and a first flange 140. The distal end of first arm 126 extends outwardly and curves away from the first inward curve 136 at an acute angle to form the first flange 140. Similarly, second arm 144 has a second inward curve 154 and a second flange 158. The distal end of second arm 144 extends outwardly and curves away from the second inward curve 154 at an acute angle to form the second flange 158.

Naylor does not disclose or suggest these features of claim 23. In FIG. 4 of Naylor, the cover 10 has first and second sides 20, 22 have inward curves, but the sides do not curve away from the inward curves at an acute angle, but rather curve away at least at a right angle. Naylor does not disclose or suggest that the sides 20, 22 curve away from the inward curves at an acute angle to form flanges.

Accordingly, for at least the above reasons, claim 23 is patentable. Applicant respectfully requests that this rejection be withdrawn.

Rejection of Claims 5-7, 9 and 21-22 under 35 U.S.C. § 103(a)

Claims 5-7, 21 and 22 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kaufman in view of Trumbull (U.S. Patent No. 4,991,801). Claim 9 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kaufman in view of Krillenberger (U.S. Patent No. 5,307,543).

Claims 5-7, 9, 21 and 22 depend from and add further features to independent claims 1 and 18. Accordingly, for at least the reasons stated above with respect to independent claims 1 and 18, claims 5-7, 9 and 21-22 are patentable. Applicant respectfully requests that these rejections be withdrawn.

Rejection of Claims 10-17 under 35 U.S.C. § 103(a)

Claims 10-13 and 16 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Errichiello (U.S. Patent No. 4,306,737) in view of Genzel (U.S. Patent No. 5,140,723). Claims 14 and 15 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Errichiello in view Genzel, and further in view of Corey (U.S. Patent No. 5,059,051). Claim 17 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Errichiello in view Genzel, and further in view of Krillenberger. Applicant traverses these rejections.

Claim 10 has been amended to recite that a distal end of the first arm forms a first inward curve and "then extends outwardly and curves away from said first inward curve at an **acute angle** to form a first flange." Claim 10 has also been amended to recite that a distal end of the second arm forms a second inward curve and "then extends outwardly and curves away from said second inward curve at an **acute angle** to form a second flange." Errichiello and Genzel do not disclose or suggest these features.

As seen in FIG. 6, for example, of the present invention, first arm 126 has a first inward curve 136 and a first flange 140. The distal end of first arm 126 extends outwardly and curves away from the first inward curve 136 at an acute angle to form the first flange 140. Similarly, second arm 144 has a second inward curve 154 and a second flange 158. The distal end of second arm 144 extends outwardly and curves away from the second inward curve 154 at an acute angle to form the second flange 158.

Errichiello does not disclose or suggest the features of claim 10. In FIG. 2 of Errichiello, the holder has pairs of ribs 52, 54 with inward curves and lips 60. The ribs

do not curve away from the inward curves at an acute angle, but rather curve away at an obtuse angle. Errichiello does not disclose or suggest that the ribs 52, 54 curve away from the inward curves at an acute angle to form the lips 60. Genzel does not provide any motivation or suggestion to modify Errichiello to have the claimed features.

For at least this reason, independent claim 10, and claims 11-17 which depend therefrom, are patentable. Applicant respectfully requests that these rejections be withdrawn.

New Dependent Claims 24-27

Claims 24-27 depend from and add further features to independent claims 1, 10, 18 and 23. Accordingly, for at least the reasons stated above with respect to independent claims 1, 10, 18 and 23, claims 24-27 are patentable and allowance thereof is respectfully requested.

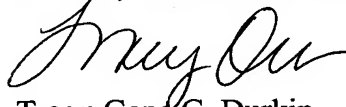
Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully
requested.

Respectfully submitted,

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